App. F. IX-4

Previous References

1937.
(Law)

File No. 6-2-37

Serial Nos. 1-2

Letter References

P

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. Two

D

Part B for March 1938

SUBJECT.

Legal opinion re Lic agreements to be executed by the Standard Vacuum Oil Co. Madras for lands taken on lease at certain stations

Cl. 2 — To the Agent, Mysore Railways
No P 21 d 16 10 37
Forwards a copy of the legal opinion.

WD 0285—GPE—22,500—18-8-37

Pow 18/11
85-85

2091

General and Revenue Secretariat | File No. Law 62 | Sp. F. III—2

Serial No.

From
The Agent
Mysore Railways
Letter no. 2996, dated 29-9-37
Requests legal opinion regarding the agreement to be executed by the Standard Vacuum Oil Company, Madras, after handing over of certain sections of M.S.M. Rys to the Mysore Ry. administration

1) P.U.D. and its enclosures are submitted for perusal and orders.

2) Forwarded, with compliments, to the Government Advocate, for favour of advice.

6/10

P.D.
B.K. Ramakrishnaiya
Dy Gen. Secy
6.10.37

Ref No. P 47837 dated 6.10.37
From 280/37-38 dt 7.10.37

Returned with compliments.

3) The blanket form of agreement executed in favour of the M. & S. M. Ry., by the Standard Vacuum Oil Company seems to be preferable with the modifications suggested hereunder:-

4) In the cause title, instead of the M.S.M.Ry. Co., etc., the words "the Government of H. H. the Maharaja of Mysore, represented by the Agent, Mysore Railways (hereinafter called the Administration)" may be substituted.

5) After the word "approved" in Line 4 of page 2 add

Ref No. 55/37-38 dt 11.10.37

NOTE—Contn. Sheet.

WD 0284—GPB—30,000—13-9-37

2091 (2)

Law File No. 62 of 1937. | General and Revenue Secretariat

add the words "in writing".

6) Substitute Mysore Petroleum Regulation No. I of 1923, for the words "Petroleum Act 8 ....."

After clause 22, the following may be added:-

(a) Para 2 of clause 8 of the printed form in - force in Mysore now which gives the option of purchase.

(b) If any dispute arises between the S.O.Co., and the Administration in regard to any matter arising out of or connected with this agreement, the decision of the Government thereon will be final and binding on the Licensee.

(c) Notwithstanding anything contained in clause 21 of this agreement the Administration can determine the license on default by the Licensee of any of the conditions of the License and on such determination the consequences mentioned in clauses 21 and 22 will follow.

(d) The Administration shall be at liberty to recover all sums due under this agreement as arrears of Land Revenue.

(e) This agreement supersedes the agreements between the parties dated ..... and with - reference to ..... Station.

7) In the Schedule, the suggestion made by the Company's Attorney in Para 3 of his letter dated 9/8/37 viz., (1) Inclusion of plan numbers etc., beside the information given in the blanket form (2) the attachment of a copy of the plan for each site to the blanket agreement may be adopted.

8) If the modifications suggested above, are found suitable they may be kindly incorporated in the draft and the file returned for further scrutiny.

Mirle Manjunatha Iyengappa
Government Advocate.
9/10/1937.

H.

12/10/37

GENERAL SECRETARIAT
12 OCT. 1937

Pro-

2091

General and Revenue Secretariat | File No. Law 62 of 1937. | [App. F. III—2

Serial No.

Subd with a dft for appeal.

13/10

Dsd
BKR
14.10

Addnd no P. (Camp) 21, dt 16-10-37

Mr. B.V.A's note
dtd 16-10-37

A draft reminder is put up for appeal.

29/2 As the F.A. wants the return of the file for further scrutiny, the case was kept Dy.

The draft is for approval or orders.

BKR
3.3.38.

Sec A
20-10-37

Apparently, further help from our Law Section is not wanted by the Agent, hence the file may be closed

B
31-3-38

BKR
31.3

NOTE—Contn. Sheet.

WD 0284—GPB—30,000—13-3-37

2091/P/37

MYSORE RAILWAYS

All communications should be addressed to the Agent, Mysore Railways, Mysore By TITLE, not By NAME

AGENT'S OFFICE,

Mysore, 29th Spetember 1937.

No. 2996/Fl.

Enc. Copy of letter and one blanket agreement and one printed sample copy of agreement.

From

H. D. SINCLAIR, Esq.,

Agent, Mysore Railways,

MYSORE.

GENERAL SECRETARIAT. 30 SEP. 1937

To

The Secretary,
to His Highness the Maharaja of Mysore,
General Department, Law Section,
Bangalore.

Sir,

Licenses relating to Oil Installations etc.

I have the honour to state that Messers. Stand-ard Vacuum Oil Company, Madras have taken lands on lease at certain Stations on this Railway for oil installation and laying pipes, executing separate agreements in each case. They hold similar lands on the Bangalore Harihar and Yesvantapur Hindupur sections now worked by the M.S.M. Railway Company and with the handing over of these sections to this administration from 1-1-38, they want to have only one agreement for all their several installations at several places instead of separate agreements as hitherto.

I enclose herein a copy of their letter on the subject together with a copy of the blanket agreement which they have entered into with the M.S.M.Railway Co, and request you to kindly let me know whether the blanket form of agreement in force on M.S.M.Railway may be adopted on this Railway also. A copy of the usual agreement taken in such instances is enclosed for information.

I have the honour to be,
sir,
Your most obedient servant,

Agent

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Bangalore, Dated, 16th October 1937.

C No. P 21/Law 67-37
Encs. Six

From

M. Venkatesa Iyengar, Esquire, M.A.,
General Secretary to the Government of His Highness the Maharaja of Mysore.

To

H.D. Sinclair, Esquire, V.D.,
Agent, Mysore Railways, Mysore.

Sir,

Re- licenses relating to Oil Installations etc.,

With reference to your letter No. 2996, dated the 29th September 1937 on the above subject, I am directed to forward herewith a copy of the legal opinion expressed in the matter. The enclosures to your letter are herewith returned.

I have the honor to be,
S i r ,
Your most obedient servant,

MKR

for General Secretary to Government.

P.H.

6

Appendix F G—1]

SUBJECT .....

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.....

Section Law

File No. 62 - 37

Serial No. 9

Diary No. of letter replied to.....

C No. P 21 Encs. 8

To

The Agent

Mysore Railways

General and Revenue Secretariat

( )

the *193* .

Re Licenses relating to ~~the~~ oil Installations etc!

Date of issue 16/10/37

Sir,

Signed by Mr. B.K. Ramachandra Iyengar

With reference to your letter no 2996, dated 29th September 1937 on the above subject, I am directed to forward herewith a copy of the legal opinion expressed in the matter. The enclosures to your letter are herewith returned. I have etc,

Please make a copy of paras 3 to 8 & the notes.

BKR

for Genl Secy.

List of enclosures.....

Copied by .....

Examined by.....